

IN RE: PETITION FOR SPECIAL HEARING  
S/S Bond Road, 2300 ft. NE of  
intersection Old York Road  
1715 Bond Road  
7th Election District  
3rd Councilmanic District  
Legal Owner: Bertha M. Morris  
Contract Purchasers, E. James  
Frack, Jr. & Barbara S. Frack  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 93-382-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This case comes before the Zoning Commissioner as a Petition for Special Hearing for that property located at 1715 Bond Road, near Parkton, in northern Baltimore County. The Petition is filed by Bertha M. Morris, property owner, and E. James Frack, Jr. and Barbara S. Frack, Contract Purchasers. Within the Petition, approval is sought for a non-density transfer in an R.C.2 zone.

Appearing at the public hearing were the Contract Purchasers, E. James Frack, Jr., and Barbara S. Frack. Also appearing and testifying in favor of the Petition was Eugene F. Raphael, the surveyor who prepared the site plan, which was marked as Petitioners' Exhibit No. 1. The Petitioners were represented by Howard Alderman, Esquire. Numerous individuals appeared in opposition to the Petition. These Protestants are all residents of northern Baltimore County. Among those who testified were John Katzenreuter, Dorothy Chenowith, Ronald F. King, Ruth Doran and Richard McQuaid, Ph.D. The Protestants were represented by Andrew Battista, Esquire.

Testimony and evidence developed at the hearing is that the subject property is actually composed of two lots owned by Bertha M. Morris, under contract of sale to Mr. and Mrs. Frack. These lots total approximately 4 acres in area and are zoned R.C.2. The entire tract can best be described as a rectangularly shaped parcel which adjoins Bond Road.

One of the subject lots is very small (.299 acres). This lot is the site of an old schoolhouse building once known as the Bond School. As set forth in the deeds which were presented outlining the title history of the property, this small parcel was conveyed as a gift to the Baltimore County Board of Education in 1872 to support the construction of a school building. A small building was subsequently built thereon and was used as a school for a number of years. Subsequently, the school was abandoned and the Board of Education conveyed the property to Ms. Morris in 1938. She converted the structure into a dwelling and the building has been used in that manner since then. Presently, the structure is vacant. Further, it was noted that the building is not designated as an historic structure by an any governmental agency. Clearly, however, the age and prior use of the building justify consideration of preservation of the structure. Mrs. Morris' second lot is approximately 3.7 acres and is unimproved. Actually, it contains several small sheds and similar outbuildings which served the school/dwelling building. However, there are no significant improvements thereon.

Mrs. Morris' holdings clearly constitute two "lots of record" as that term is defined in Section 101 of the Baltimore County Zoning Regulations (B.C.Z.R.). Specifically, that definition provides that a lot of record is "A parcel of land with boundaries as recorded in the land records of Baltimore County on the same date as the effective date of the zoning regulations which governs the use, subdivision, or other conditions thereof". One of the lots of record is .299 acres and the other is approximately 3.7 acres.

In the instant case, both lots are zoned R.C.2. As such, the relevant date governing the use, subdivision, or other condition relating to the

tract is November 24, 1979, the date of the adoption of the R.C. zoning regulations in Baltimore County.

As noted above, the matter comes before me as a Petition for Special Hearing seeking the approval of a non-density transfer. As is well settled and comprehensively set out in Section 1A00 of the B.C.Z.R., the R.C. zoning classification was adopted to foster the agricultural use of Baltimore County's farmland and prevent urban sprawl. Further, strict standards were adopted in the regulation governing density and the required lot area for land zoned R.C.2. Applying these standards to this case, it is uncontroverted that the "schoolhouse lot" is a separate lot which supports one density unit. As noted above, this lot was created over 120 years ago. Ms. Morris' other tract of approximately 3.7 acres was acquired in 1938, also, well before the adoption of the Baltimore County Zoning Regulations. In that that lot is between 2 and 100 acres in size, two density units are available. Thus, it is clear that Ms. Morris has three density units; one from the schoolhouse lot and two for the surrounding lot.

At the hearing, the Petitioners made no secret that the instant Petition is filed to foster a subdivision and realignment of the Morris property. In fact, the site plan shows a proposed lot No.1 of 1.1 acres comprised of the western portion of the larger lot. Proposed lot No. 2, of 1.8 acres, is on the east side of the property. The third lot, which will be approximately 1.1 acres will, contain .299 acres of the schoolhouse lot plus an additional .8 acres, pursuant to the non-density transfer from the remaining parcel. Thus, three lots of approximately the same size will be created.

The Petitioners argue that the proposed non-density transfer is entirely appropriate and consistent with the goals of the R.C.2 zoning classification. They note that the schoolhouse lot is presently undersized and that many of the outbuildings which serve the dwelling thereon are actually on the other lot. Also, it is observed that a large oak tree (which in and of itself may have historical significance) straddles the existing lot line. Further, the Petitioners emphasized that there will be no additional increase in density to the tract. Three density units exist at the present time and no less, nor more, will exist if the Petition is granted.

Additionally, the Petitioners argue that the 3 lots to be created will each be of sufficient size and that any development thereon can be constructed without the need for variance relief. Also, the existing schoolhouse lot is so small that it cannot presently support the needed septic reserve area for the structure. For all of these reasons, the Petitioners urge that the relief be granted.

As noted above, the public hearing was well attended and a number of Protestants testified. These included John Katzenreuter from the Maryland Line Association. Mr. Katzenreuter noted that he lives approximately 9 miles from the site. He did not appear to fully appreciate the issues which were presented in the instant case. In his view, development in northern Baltimore County is uncontrolled and unchecked. Although no doubt well intentioned, his testimony was not particularly germane to the narrow issue presented in this case. Also testifying was Dorothy Chenowith who resides on the property immediately next door. She is concerned about the potential development of the site. Although not objecting to the non-density transfer per se, she is concerned that additional

development on the property might result in storm water runoff onto her property. These concerns, as well as fears over increased traffic and interference with the existing septic system, were echoed by Ronald F. King, who resides immediately next door to the Morris property at 1815 Bond Road. Although recognizing the legitimacy of these concerns, it, again, need be emphasized that 3 density units are already available for the Morris property. Thus, in the context of the issues raised in this case, many of the Protestants' concerns are not matters for me to consider. The County Council has adopted the R.C.2 zoning classification and the related standards governing development on R.C.2 property. I cannot herein address the propriety of those standards. The narrow question before me is whether this non-density transfer should be permitted.

Dr. Richard McQuaid seemed to appreciate the issue presented. He supports the non-density transfer, in that it might assist in the preservation of the schoolhouse building and surrounding landscape. He fears, however, of the implications of the non-density transfer and the contemplated subdivision. As with the other Protestants, he is concerned over an increase of traffic congestion as well as interference with storm water runoff from the property and well/septic systems in the surrounding locale.

After considering all of the evidence and testimony presented, I am persuaded that the Petition for Special Hearing should be granted. It is clearly both appropriate and desired for the school lot to be increased in area. This will allow for continued use of the lot for a permitted purpose (residential). Further, granting of the Petition for Special Hearing will bring the lot into legal conformance which what physically appears on site. That is, testimony and evidence was that the land immediately surrounding the building used to support that structure, notwithstanding

the fact that the lot line is very close to the building. For all of these reasons, the Petition should and will be granted.

Notwithstanding my decision in this regard, two issues remain. One relates to a previous transfer of land made by Ms. Morris to an adjacent property owner, Harry A. Gemmell, Jr. The testimony was clear that the Gemmell and Morris families are related by blood and/or marriage. As shown on the site plan, Mr. Gemmell owns two lots immediately next door to the Morris tract, on which is located his dwelling. Ms. Morris, recently, transferred two small tracts from her holdings to Mr. Gemmell. These tracts are located to the rear of the Gemmell property when viewed from Bond Road. It was explained by Mr. Raphael that these transfers were made as lot line adjustments to clarify the legal descriptions of the Gemmell/Morris properties and bring same into compliance with the actual use thereof. The Protestants argue that these transfers by Ms. Morris constitute a previous subdivision of her tract. If so considered, the Protestants submit that the Morris property has already been subdivided and further subdivision is not permissible.

In considering the arguments presented regarding this issue, a review of the definition set forth in Section 26-168 of the Baltimore County Code is appropriate. That section, and those that follow, fully set forth the development regulations of Baltimore County. Therein, a subdivision is defined as a division of property into two or more lots for the purpose of sale, rental, building or development. Clearly, the purpose of the Morris transfer in this instance was not for building, development, sale or rental of the properties. Rather, the conveyance was for the reasons described by Mr. Raphael. Thus, there was no prior subdivision and Ms.

Morris continues to have available to her three density units as fully explained above.

The second issue for consideration is whether the relief granted herein may be restricted. Clearly, pursuant to the authority set forth in Section 26-127(c) of the Baltimore County Code, the Zoning Commissioner is empowered to impose such conditions and restrictions as may be appropriate in the granting of zoning variances. Likewise, under Section 502.2 of the B.C.Z.R., the Zoning Commissioner may impose restrictions and conditions upon the granting of any special exception. However, this case comes before me as a Petition for Special Hearing, pursuant to the authority granted on the Office of the Zoning Commissioner by Section 500.7 of the B.C.Z.R. Thus, counsel for the Petitioners argue that the regulations do not empower the Zoning Commissioner with the authority to restrict an Order approving a Petition for Special Hearing. The Petitioners liken this case to a nonconforming use case. I disagree. The language in Section 500.7 is clear. It provides, in part, that "the said Zoning Commissioner shall have the power to conduct such other hearings and pass such Orders thereon, as shall, in his discretion, be necessary for the proper enforcement of all zoning regulations . . .". (emphasis added) The language of this section is quite broad. It provides the Commissioner with the authority to interpret the zoning regulations and conduct hearings, such as the instant case, as may be necessary. Further, such Orders may be passed as are appropriate, in the discretion of the Zoning Commissioner. Based upon this language, I believe that restrictions and/or conditions may be imposed.

In this case, I am persuaded that the preservation of the schoolhouse and the existing landscaping which surrounds same is a significant is-

sue. Thus, I am unwilling to grant to the Petitioners the carte blanche authority to demolish the schoolhouse and the surrounding landscaping. Perhaps, renovation and restoration of the building to support a residence might be appropriate. However, there was no testimony about the Petitioners exact plans as they relate to that lot. Being uncertain of these plans, I cannot, at this time, make specific recommendations. However, a restriction to the Order issued in this case will be added requiring the developer to obtain approval from the Office of Planning and Zoning before any permits are issued, or before any physical alterations are made to the existing building. Likewise, the landscaping surrounding the school building shall not be disturbed without the prior consent of the Office of Planning and Zoning. These restrictions are imposed not to frustrate the contract purchasers intent to redevelop this property, but to assure that same is done in a manner consistent with the historical character of the site. Obviously, if the Petitioner is unable to agree with the Office of Planning and Zoning, as to any proposed development, another Petition for Special Hearing may be filed seeking an amendment of my Order and/or an elimination of the restrictions imposed herein. However, for now, I am persuaded that consideration must be given towards the preservation of this unique building property.

Pursuant to the advertising, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 24th day of June, 1993 that, pursuant to the Petition for Special Hearing, approval of a non-density transfer in an R.C.2 zone be

RR - SE      SS - SW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

(SEE PAGE 4)  
BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP

**1992 COMPREHENSIVE ZONING MAP**  
**Adopted by the Baltimore County Council**  
**Oct. 15, 1992**

BM Nos. 183-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

William A. Howard IV  
Chairman, County Council

SCALE

1" = 300'

DATE

OF

PHOTOGRAPH  
JANUARY

JANUARY  
1986

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LOCATION

NORTHWEST OF  
WEST LIBERTY

SHEET


Now

37-A

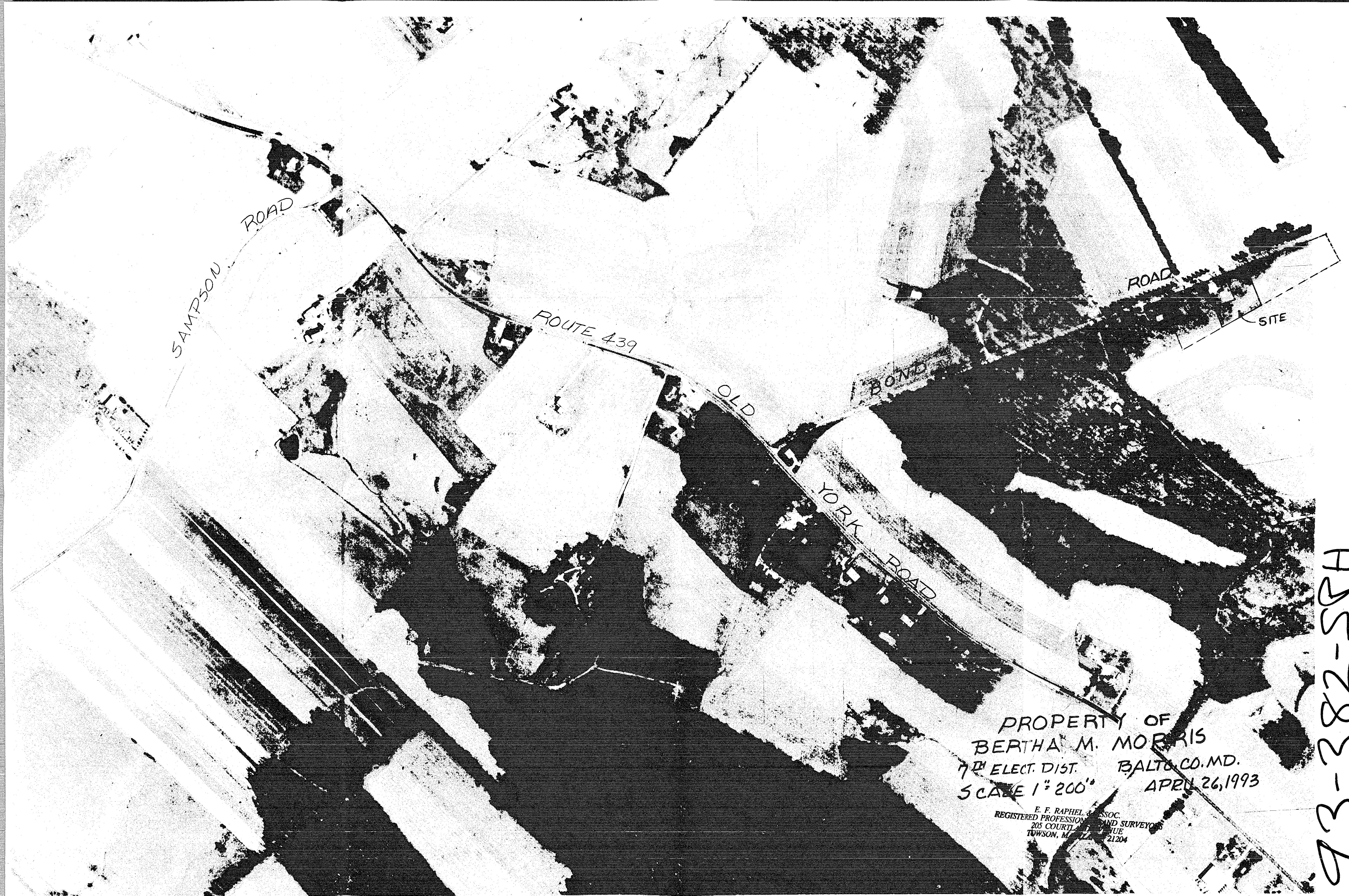
PROPERTY OF  
BERTHA M. MORRIS  
7<sup>TH</sup> ELECT. DIST.  
SCALE 1"=200'

**E. F. RAPHEL & ASSOC.**  
**REGISTERED PROFESSIONAL LAND SURVEYOR**  
**205 COURTLAND AVENUE**  
**TOWSON, MARYLAND 21204**

MH



390



PROPERTY OF  
BERTHA M. MORRIS  
7<sup>TH</sup> ELECT. DIST. BALTO. CO. MD.  
SCALE 1" = 200' APRIL 26, 1993

E. F. RAPHEL & ASSOC.  
REGISTERED PROFESSIONAL LAND SURVEYORS  
205 COURTLAND AVENUE  
TOWSON, MARYLAND 21204

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

E. F. RAPHEL & ASSOC.  
REGISTERED PROFESSIONAL LAND SURVEYORS  
205 COURTLAND AVENUE  
TOWSON, MARYLAND 21204

SCALE  
1" = 200' ±

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PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
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NORTHWEST OF  
WEST LIBERTY

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93-382-SFH

and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. The Petitioners, their successors, heirs and assigns, are hereby prohibited from raising, reconstructing, refurbishing and/or altering in any manner the existing schoolhouse/dwelling on the subject property, without first obtaining the written approval of the Baltimore County Office of Planning and Zoning. It is the intent of this restriction to require the petitioners and subsequent owners of the property to submit architectural plans for any reconstruction of the schoolhouse/dwelling to the Office of Planning and Zoning, so that those plans can be approved in order to preserve the historical character of the aforementioned building and ensure compatibility within the locale. The restriction shall, likewise, apply to the specimen oak tree immediately adjacent to the schoolhouse building.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date  
By

LES:mmm

- 9 -

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

June 24, 1993

Howard Alderman, Esquire  
Levin and Gann  
305 W. Chesapeake Avenue  
Towson, Maryland 21204

RE: Case No. 93-382-SPH  
Petition for Special Hearing  
E. James Frack, Jr., et ux, Contract Purchasers  
Bertha M. Morris, Legal Owner

Dear Mr. Alderman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

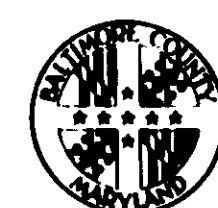
In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm

cc: Mr. and Mrs. E. James Frack, Jr.  
cc: Ms. Bertha M. Morris  
cc: Mrs. Michael B. Wallenberger  
cc: Andrew Battista, Esquire  
cc: Dr. Richard McQuaid  
cc: Mr. John Kotchenreuter  
cc: Mrs. Dorothy Chenoweth  
cc: Mr. Ronald L. King  
cc: Ms. Ruth R. Doran



Petition for Special Hearing  
to the Zoning Commissioner of Baltimore County  
for the property located at 1715 Bond Rd., Towson, Md. 21204

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property shown in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

TO APPROVE A NON-DENSITY TRANSFER IN A R.C. 2 ZONE.

TESTIMONY TO BE DEVELOPED AT HEARING.

Property is to be posted and advertised as prescribed by Zoning Regulations. The undersigned, legal owner(s) of the property shown in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Contract Purchaser(s)

E. James Frack, Jr. & Barbara S. Frack

1715 Bond Rd., Towson, Md. 21204

P.O. Box 24

Monkton, Md. 21111

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NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-382-SPH (Item 390)  
1715 Bond Road  
S/S Bond Road, 2300' NE of Intersection Old York Road  
7th Election District - 3rd Councilmember  
Legal Owner(s): Bertha M. Morris  
Contract Purchase(s): E. Jesse Frack, Jr. and Barbara S. Frack  
HEARING: THURSDAY, JUNE 3, 1993 at 10:00 a.m. in Rm. 106, County Office Building.  
Special Hearing to approve a non-density transfer in a R.C. 2 zone.

*Carl Jablon*  
Arnold Jablon  
Director

cc: Bertha M. Morris  
E. Jesse Frack, Jr. et al  
Stanley Slagman

NOTES: (1) HEARING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Ms. Bertha M. Morris  
4520 Foreland Place  
Orlando, FL 32812

RE: Case No. 93-382-SPH, Item No. 390  
Petitioner: Bertha M. Morris  
Petition for Special Hearing

Dear Ms. Morris:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on April 28, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

5-11-93

Ms. Helene Kehring  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County  
Item No. 930 (JCM)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*  
for John Contestabile, Chief  
Engineering Access Permits  
Division

My telephone number is \_\_\_\_\_

Teletypewriter for Impaired Hearing or Speech  
383-7555 Baltimore Metro - 585-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: May 18, 1993

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item No. 356, 7925 York Road  
Item No. 372, 8506 Marblehead  
Item No. 389, 7034 Sollers Point Road  
Item No. 390, 1715 Bond Road

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: *Jeffrey M. Long*

Division Chief: *Carol L. Keom*

PK/JL:lw

356.ZAC/ZAC1

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee Date: May 11, 1993

FROM: Captain Jerry Pfeifer  
Elena Desautels

SUBJECT: Comments for 05/12/93 Meeting

Item 386 Building shall be built in compliance with the 1991 Life Safety Code and the Baltimore County Fire Prevention Code.  
Item 387 No Comments  
Item 388 No Comments  
Item 389 No Comments  
Item 390 No Comments  
Item 391 Site shall comply with applicable provisions of the Baltimore County Fire Prevention Code.  
Item 392 No Comments  
Item 393 No Comments  
Item 394 No Comments  
Item 395 Townhouses for which the initial building permit was applied for after July 1, 1992 are required by State Law to be sprinklered.

RECEIVED  
MAY 12 1993  
ZADM

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

May 25, 1993

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management

FROM: J. Lawrence Pilson  
Development Coordinator, DEPRM

SUBJECT: Zoning Item #390, Morris Property 93-382-SPH  
1715 Bond Road  
Zoning Advisory Committee Meeting of May 10, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

This project may be subject to the Forest Conservation Regulations (Bill No. 224-92). For details or further information contact Eldon Gemmill (DEPRM) at 887-3980.

RECEIVED  
JUN 4 1993  
ZONING COMMISSIONER

JLP:sp

MORRIS/TATSBP

RECEIVED  
MAY 26 1993  
ZADM

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: The Honorable Roger B. Hayden  
County Executive

DATE: September 28, 1993

FROM: Donna Thompson, Zoning Inspector  
Zoning Enforcement

RE: Bond Schoolhouse Property  
1715 Bond Road, Parkton, Maryland  
7th Election District

Recently you requested that our office respond to correspondence written by attorney Andrew M. Battista (per your request copy enclosed) regarding a possible zoning violation at the above site.

It has been determined by John Lewis, Planner, II and myself and ultimately approved by Arnold Jablon that the fence erected on the property of the historic schoolhouse does comply with the zoning commissioner's order for 93-382-SPH. A letter has been sent to Mr. Battista (copy attached) explaining same.

If you have any questions, please do not hesitate to contact me at 887-3351 or John Lewis at 887-3391.

DT/hek

111 West Chesapeake Avenue  
Towson, MD 21204

June 14, 1993

(410) 887-3353

Dr. Richard W. McQuaid, President  
Maryland Line Area Association, Inc.  
1501 Harris Mill Road  
Parkton, Maryland 21120

Dear Dr. McQuaid:

RE: Case No. 93-382-SPH

I am in receipt of your letter dated June 3, 1993.

Sections 26-171(a)(6), 26-171(a)(10), 26-171(b)(6), and 26-171(b)(9) of the Baltimore County Code provide various legislative exemptions for small lot subdivisions from the development regulations. Unless the small lot subdivision includes a panhandle for ingress and egress, the proposed division of land into two or three lots is exempt. County agencies, however, have over the years developed a process that requires review of proposed plans, the result of which is to provide up-front comments and approval notwithstanding the general exemption permitted by law. In fact, such small lot subdivisions are permitted by law to be accomplished by preparation and recordation by deed, without any county review except by the Department of Environmental Protection and Resource Management (DEPRM). Indeed, DEPRM is limited in its review to a requirement adopted in COMAR (Code of Maryland Regulations) that a plot plan be submitted showing water and sewerage.

However, it is obvious that many small lot subdivisions, without county review, would then be sold and bona fide purchasers, who bought such lots believing they purchased buildable lots, would come to discover at the building permit stage that what they did buy was an unbuildable lot. County review at the latter stage all too often would find impossible legal hurdles, and would leave the subsequent purchaser frustrated and angered. In order to protect such purchasers, the county developed a policy in 1987 that required review prior to recordation. While perhaps, not required by law, this review provided protection for the subsequent purchaser.

The county review does not include meetings; rather the proposed plan is distributed to DEPRM, the Department of Public Works, and the Zoning Office for review and comment. The comments are then forwarded to the applicant or surveyor, and a plan is redrawn to comply with them. If the plan is in compliance, it is then approved.

Dr. Richard W. McQuaid  
Page Two  
June 14, 1993

As part of the public hearing held some weeks ago for ZADM's policy manual, which included the proposed policy for special projects, was the policy on small lot subdivisions. You should have a copy in your possession.

While the county has not yet received a proposed small lot subdivision for this property, I will insure that you receive a copy of the county agency comments and a copy of the plan when submitted. If approved, I will also insure that you receive notice of such approval.

Sincerely,

*Arnold Jablon*  
ARNOLD JABLON  
Director

AJ:ls

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

July 30, 1993

Andrew M. Battista, Esquire  
Young and Battista  
Suite 707, Susquehanna Building  
29 W. Susquehanna Avenue  
Baltimore, MD 21204

RE: Case No. 93-382-SPH  
1715 Bond Road  
7th Election District

Dear Mr. Battista:

I am in receipt of your letter, dated July 19, 1993. Please be advised that your letter will be placed into the case file, and you will be notified if the applicant proposes a subdivision.

I include a copy of the Zoning Commissioner's Policy Manual, Section 1A00.4b, which may or may not be relevant to any potential small lot subdivision.

If you have any questions, please feel free to call Carl Richards at 887-3391.

Sincerely,

*Arnold Jablon*  
ARNOLD JABLON  
Director

cc: W. Carl Richards

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

September 28, 1993

Andrew M. Battista, Esquire  
Young and Battista, P.A.  
29 W. Susquehanna Avenue  
Baltimore, Maryland 21204

Re: Bond Schoolhouse Property  
1715 Bond Road, Parkton, Maryland  
7th Election District

Dear Mr. Battista:

In reference to a copy of a letter received by this office, although written to Mr. John McGrain of the Landmark Preservation Commission on the above referenced property, an investigation for a possible zoning violation has been completed.

After conferring with John Lewis, Planner II and Arnold Jablon, Director of Zoning Administration and Development Management, the newly constructed fence around the property consisting of the schoolhouse appears to be in compliance of the zoning commissioner's order for 93-382-SPH. Although the permit to erect this fence was issued and then suspended on August 30, 1993, a letter has been sent to John Reisinger, Building Engineer releasing this suspension (copy enclosed).

In Re: \* BEFORE THE  
ITEM NO. 390 \* ZONING COMMISSION OF  
1715 BOND ROAD \* BALTIMORE COUNTY  
PARKTON, MARYLAND 21120 \* Case No. 93-382-SPH  
\* \* \* \* \*

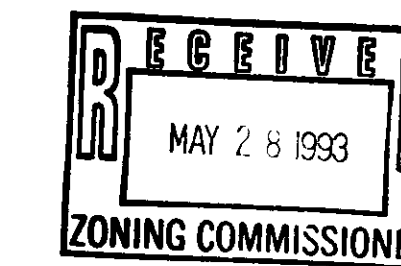
ENTRY OF APPEARANCE AND REQUEST FOR CONTINUANCE

Please enter the appearance of undersigned counsel on behalf of the Maryland Line Area Association and Mr. and Mrs. Jeffery Cummings, Mr. and Mrs. Larry Heaps, Mr. and Mrs. Scott Stiffler and Mrs. Virginia Jones, in the above matter.

The hearing on this matter is currently scheduled for 10 A.M. on Thursday, June 3, 1993. On that date, undersigned counsel is scheduled to appear before the Workers' Compensation Commission in Baltimore City in the case of Dovle v. McLean Contracting Company, and will be unavailable.

Further, this is the first scheduled hearing of this matter and counsel has only recently been retained as many of the clients represented here have only recently become aware of this case.

WHEREFORE, it is respectfully requested that the hearing on this matter, presently scheduled for June 3, 1993, be continued to a later date.



Andrew M. Battista  
YOUNG & BATTISTA  
Suite 707, Susquehanna Building  
29 West Susquehanna Avenue  
Baltimore, Maryland 21204  
(410) 583-2414

*Granted. Case to be Resub on 6/15/93  
at 11am  
Wally Watson*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on the 25 day of May, 1993, a copy of the foregoing Entry of Appearance and Request for Continuance was mailed, first-class, postage prepaid, to E. James Frack, Jr. and Barbara S. Frack, P. O. Box 24, Monkton, Maryland 21111 and Bertha M. Morris, 4520 Foreland Place, Orlando, Florida 32812.

*Andrew M. Battista*  
Andrew M. Battista

*Arnold.*  
*You wanted some info on the Bond Ave. Fence Permit*  
*Issue (attached). Enforcement had the Envy Care File.*  
*I discussed the subject with Donna Thompson (who*  
*uses no violation and is ready to close the case)*  
*and I can find no conflict with the ZC's order.*  
*The only restricted reason cited are the "schoolhouse/shedding"*  
*and the adjacent "Catholic". Let me know if*  
*you want to discuss but I think the permit was*  
*not in conflict with the ZC's order and should*  
*be removed from suspension.*

*Please return file to me as they are*  
*in Mary of Enforcement and Don Carol file.*

*Thanks*

*John*

*P.S. I can't get copy of original rough draft permit and plan*  
*are they being unimpeded by P.L.*

*Thanks!*

Baltimore County, Maryland  
Date 9/3/93

To: Arnold Jablon

From: Roger Hayden

- |  |   |
|--|---|
| <input type="checkbox"/> Please Note & File                            | <input type="checkbox"/> To Be Signed         |
| <input type="checkbox"/> For Your Information                          | <input type="checkbox"/> Please Comment       |
| <input type="checkbox"/> Please Note & Return                          | <input type="checkbox"/> Please See Me        |
| <input type="checkbox"/> Please Handle                                 | <input type="checkbox"/> Investigate & Report |
| <input type="checkbox"/> Please answer, Sending me Copy of your letter |   |
| <input type="checkbox"/> Please Prepare reply for my Signature         |   |

Remarks:  
Please comment to me on the attached correspondence from Andrew Battista dated 9/2/93, T. Rogers Harrison dated 8/18/93, and the Nonkon Preservation Association dated 8/10/93. Attach this correspondence to any paperwork that is forwarded to my office.

Thank you.

TO: *WLF*  
SEP 10 1993  
CPS-004 *John*

My clients, the Maryland Line Area Association and individual neighboring residents, bring to your attention their objections to a fence that has been constructed on the above-referenced historic property by the current owner, Mr. Michael Waldenberger. The fence at issue is a four foot board fence across the front of the property and a six foot solid wood fence that completely hides the view from the road of this historic schoolhouse.

Re: Bond Schoolhouse Property  
1715 Bond Road, Parkton, MD 21120

Dear Mr. McGrain:

My clients, the Maryland Line Area Association and individual neighboring residents, bring to your attention their objections to a fence that has been constructed on the above-referenced historic property by the current owner, Mr. Michael Waldenberger. The fence at issue is a four foot board fence across the front of the property and a six foot solid wood fence that completely hides the view from the road of this historic schoolhouse. Additionally, you should be aware that the front hedge, which has been maintained at a 3-4 foot level for at least 50 years, has been allowed to grow up to the roof top of the building, thereby removing the schoolhouse from view with the exception of the roof.

It is my understanding that Mr. Waldenberger originally obtained a fence permit without consulting the Office of Planning and Zoning as required by Zoning Commissioner Lawrence Schmidt's Order of June 24, 1993. It is my further understanding that this permit, granted on August 13, 1993, was rescinded almost immediately and notification, in writing, given to Mr. Waldenberger. On August 24, 1993, an inter-office memorandum from your office indicated that you would allow this fence to be built as "a health and safety measure, mainly to protect the owners' children". It is our understanding that this memorandum was cancelled and the current status of the permit is that it has not been granted and will not be granted unless done so at the Landmarks Preservation Commission meeting scheduled for

*To: John Sullivan 7/14*  
*what's the status. Is it 382*  
*united in this point? If not, I'll*

*To: John L. - 9/1*  
*See me - Carl*

YOUNG & BATTISTA, P.A.  
ATTORNEYS AT LAW  
SUITE 707 SUSQUEHANNA BUILDING  
29 WEST SUSQUEHANNA AVENUE  
BALTIMORE, MARYLAND 21204



Baltimore County Government  
Office of Planning and Zoning



401 Bosley Avenue  
Towson, MD 21204

(410) 887-3211  
Fax (410) 887-5862

July 16, 1993

Gene Raphael  
E.F. Raphael & Associates  
205 Courtland Avenue  
Towson, Maryland 21204

Dear Mr. Raphael:

On July 7, 1993 the Office of Planning and Zoning referred the plans for the Bond Road Schoolhouse to the Baltimore County Landmarks Preservation Commission for review and comment. On July 8, 1993 the Commission reviewed the proposed plans and forwarded their comments to the Office of Planning and Zoning for consideration. Based upon the Landmarks Preservation Commission comments and Office of Planning and Zoning's review, the Office finds that the concepts which you are proposing are acceptable. Detailed plans, however, including architectural elevations, building materials and floor plans should be submitted for review prior to the application for building permits. Specific items to be addressed include the following:

1. The existing cinder block chimney and extension to the school vestibule should be removed.
2. The extension to the existing building which is to be located on the side of the building away from the road is acceptable. The addition should be setback about one foot on each side from the existing brick wall in order to clearly differentiate the old from the new. The roof arrangement is acceptable. Architectural elevations and materials should be provided.
3. The windows on the other side wall should be increased to their original height with appropriate sash configurations. Architectural details should be provided.
4. Fencing is appropriate for the site, however, a fence design should be submitted for review and approval prior to building permit application.
5. Prior to the issuance of a building permit, an interior floor plan should be submitted to the Office of Planning and Zoning.

If you require any additional information, please feel free to contact me at 887-3211.

Sincerely,

*Pat Keller*  
Pat Keller  
Deputy Director

PK:bjs

cc: E. James Frack  
Barbara Frack  
Lawrence Schmidt  
File

887-3211/TXTBJS

PAGE 2 OF 2

TIME: 15:45:55 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 08/13/93  
DATE: 09/14/93 APPROVALS DETAIL SCREEN PLS 10:17:15

PANEL BP1018M

PERMIT #: B173077 AGENCY: DATE: CODE: COMMENTS: PASSWORD:

DATE: 08/13/93 01 JLL/JB

REMARKS: 08/13/93 01 MR/JB

David Fields called John Reisinger (on vacation) so  
" " " Ted Z to suspend.

01 THRU 09 INDICATES AN "APPROVAL" \*\* 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT PF9 - SAVE  
CLEAR - MENU

NAME: WALDENBERGER, MICHAEL B & VALERIE J  
ADDR: 1715 BOND RD PARKTON, MD 21120-9124

APPLICANT INFORMATION  
NAME: MICHAEL WALDENBERGER  
COMPANY:  
ADDR1: 1715 BOND RD  
ADDR2: PARKTON, MD 21120-9124  
PHONE #: 357-5002 LICENSE #:

NOTES  
PERMIT SUSPENDED PER ZONING BY JRR 8/30/93 DAS

TRACT: BLOCK:  
PLANS: CONST 0 PLOT 1 R FLAT 0 DATA 0 ELEC NO PLUM NO  
CONTR: OWNER  
ENGR: OWNER  
SELLR:  
WORK: ERECT FENCE AROUND PERIMETER OF PROP. 146LF-42\*  
HIGH WOOD PICKETT, 119LF-42\* WIRE IN FRONT YARD.  
215LF-6\* HIGH WOOD-378LF-48\* WIRE FENCE IN REAR  
YARD. CANNOT FENCE IN WALKWAY EASEMENTS. ANY  
FENCE ERECTED WITHIN AN EASEMENT WILL BE  
REMOVED AT OWNERS EXPENSE, IF REQUIRED. 858LF.

PROPOSED USE: SFD & FENCE  
EXISTING USE: SFD

BLDG. CODE: 1 AND 2 FAM. CODE  
RESIDENTIAL CATEGORY: DETACHED OWNERSHIP: PRIVATELY OWNED  
ESTIMATED COST OF MATERIAL AND LABOR: 2,300.00

TYPE OF IMPRV: NEW BUILDING CONSTRUCTION  
USE: OTHER - RESIDENTIAL  
FOUNDATION:  
SEWAGE: PRIV. EXISTS BASEMENT:  
CONSTRUCTION: WATER: PRIV. EXISTS  
CENTRAL AIR: FUEL:

SINGLE FAMILY UNITS  
TOTAL 1 FAMILY BEDROOMS  
MULTI FAMILY UNITS  
EFFICIENCY (AND SEPARATE BEDROOMS): NO. OF 1 BEDROOM:  
NO. OF 2 BEDROOMS: NO. OF 3 BEDROOMS OR MORE:  
TOTAL NO. OF BEDROOMS: TOTAL NO. OF APARTMENTS:

PAGE 1 OF 2

PERMIT #: B173077

DIMENSIONS - INSTALL FIXTURES

GARBAGE DISP: BUILDING SIZE  
POWDER ROOMS: FLOOR: 858  
BATHROOMS: WIDTH: 42'-6  
KITCHENS: HEIGHT: 42'-6  
STORIES: 0

LOT NOS:  
CORNER LOT: N

ZONING INFORMATION  
DISTRICT: BLOCK:  
PETITION: SECTION:  
DATE: LIBER: 000  
MAP: FOLIO: 000  
CLASS: 04

PLANNING INFORMATION  
MASTER PLAN AREA: SUBSEWER: CRIT AREA: PASSWORD:

DATE APPLIED: 08/13/93 INSPECTOR INITIALS: 07B  
FEE: \$10.00 PAID: \$10.00 RECEIPT #: A198487

(I HAVE CAREFULLY READ THIS APPLICATION AND KNOW THE SAME IS CORRECT AND TRUE. AND THAT IN DOING THIS WORK ALL PROVISIONS OF THE BALTIMORE COUNTY CODE AND APPROPRIATE STATE REGULATIONS WILL BE COMPLIED WITH WHETHER HEREIN SPECIFIED OR NOT AND WILL REQUEST ALL REQUIRED INSPECTIONS)

TIME: 12:55:49 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 08/30/93  
DATE: 08/13/93 GENERAL PERMIT APPLICATION DATA PLS 14:42:33

PANEL BP1003M

PERMIT #: B173077 PROPERTY ADDRESS  
RECEIPT #: A198487 1715 BOND RD  
CONTROL #: MR SUBDI: 450 NE STABLER RD  
XREF #: B173077 TAX ACCOUNT #: 0713075150 DISTRICT/PRECINCT 07 01

FEE: 10.00  
PAID: 10.00  
PAID BY: APPL

APPLIED: 08/13/93 NAME: MICHAEL WALDENBERGER  
ISSUED: 08/13/93 COMPANY:  
OCCPNY: ADDR1: 1715 BOND RD  
ADDR2: PARKTON, MD 21120-9124  
INSPECTOR: 07B PHONE #: 357-5002 LICENSE #:  
NOTES: KRA/JB PERMIT SUSPENDED PER ZONING BY JRR 8/30/93 DAS

PASSWORD:

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE  
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY

TIME: 12:56:04 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 08/13/93  
DATE: 09/20/93 BUILDING DETAIL 1 PLS 10:16:50

PANEL BP1004M

PERMIT #: B173077 PLANS: CONST 0 PLOT 1 TRACT: BLOCK:  
BUILDING CODE: 1 CONTR: OWNER  
IMPRV 1 ENGR: OWNER  
USE 07 SELLR:

FOUNDATION BASE WORK: ERECT FENCE AROUND PERIMETER OF PROP. 146LF-42\*  
CONSTRUC FUEL SEWAGE WATER HIGH WOOD PICKETT, 119LF-42\* WIRE IN FRONT YARD.  
215LF-6\* HIGH WOOD-378LF-48\* WIRE FENCE IN REAR  
YARD. CANNOT FENCE IN WALKWAY EASEMENTS. ANY  
FENCE ERECTED WITHIN AN EASEMENT WILL BE  
REMOVED AT OWNERS EXPENSE, IF REQUIRED. 858LF.

CENTRAL AIR  
ESTIMATED COST  
2,300.00 PROPOSED USE: SFD & FENCE  
OWNERSHIP: 1 EXISTING USE: SFD  
RESIDENTIAL CAT: 1  
SEFF: \$1BED: \$2BED: \$3BED: TOT BED: TOT APTS:  
1 FAMILY BEDROOMS: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE  
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

TIME: 12:56:16 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 08/13/93  
DATE: 09/20/93 BUILDING DETAIL 2 PLS 10:16:50

PANEL BP1005M

PERMIT #: B173077 BUILDING SIZE  
FLOOR: 858 LOT SIZE AND SETBACKS  
WIDTH: 42'-6 FRONT STREET:  
DEPTH: 42'-6 SIDE STREET:  
HEIGHT: 42'-6 FRONT SETB: 0  
STORIES: 0 SIDE SETB: 0/0  
SIDE STR SETB: 0  
REAR SETB: 0

GARBAGE DISP: LOT NOS:  
POWDER ROOMS: CORNER LOT: N  
BATHROOMS: ASSESSMENTS  
KITCHENS: LAND: 0019900.00  
IMPROVEMENTS: 0028220.00  
TOTAL ASS.: 0048120.00

ZONING INFORMATION  
DISTRICT: BLOCK:  
PETITION: SECTION:  
DATE: LIBER: 000  
MAP: FOLIO: 000  
CLASS: 04

PLANNING INFORMATION  
MSTR PLAN AREA: SUBSEWER: CRIT AREA: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE  
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU

MARYLAND LINE AREA ASSOCIATION, INC.  
1501 Harris Mill Road  
Parkton, Maryland 21120  
(410) 343-1089

June 3, 1993

Mr. Arnold Jablon, Director  
Zoning Administration and Development Management  
County Office Building  
Towson, Md. 21204

Dear Mr. Jablon,

Re: Case #93-382-SPH

It is our understanding that the property surrounding 1715 Bond Rd., which is the subject of the above referenced special hearing for a non-density transfer is subject to the Minor Subdivision Process before the two adjacent proposed lots are approved for development.

It is also our understanding that the property will not be posted before the Review Process and approval.

We are hereby requesting that we be notified of any meeting concerning this property in the Minor Subdivision Process. We further request that we be permitted to provide input into the process prior to approval.

We appreciate your prompt attention to this matter.

Very truly yours,  
Richard W. McQuaid  
Dr. Richard W. McQuaid  
President

RECEIVED  
JUN 4 1993  
ZADM

Baltimore County Government  
Office of Planning and Zoning

401 Bosley Avenue  
Towson, MD 21204

July 22, 1993

(410) 887-3211  
Fax (410) 887-5862

Gene Raphael  
E.F. Raphael & Associates, Inc.  
205 Courtland Avenue  
Towson, Maryland 21204

RE: Bond Road Schoolhouse  
93-382-SPH  
Dear Mr. Raphael:

In accordance with our telephone conversation of earlier today, with respect to my letter of July 16, 1993 regarding the Bond Road Schoolhouse. I wish to clarify the advisory intent of my written comments to you in light of the requirements of the Order of the Zoning Commission for Baltimore County. The various detailed plans, architectural elevations and building material specifications referred to in my letter are not mandatory submissions that must be made; rather, etc., if the same are prepared for financing or building permit approval. This Office will review and approve, if found to conform to the Concept Plan previously reviewed and the comments of the Baltimore County Landmarks Preservation Commission, any building permit application and all plans required thereby.

All improvements, including windows, will conform to the Baltimore County Building Code and the Concept Plan previously reviewed. At this time, there will be no requirement that any portion of the existing structure be removed; however, if such removal is contemplated, it should be shown on the plans submitted for building/razing permit and be in conformance with the Concept Plan. Any fence to be erected shall conform to all County requirements and be submitted to this Office for review.

I hope that this clarifies the advisory comments outlined in my letter of July 16, 1993. Please call should you need to discuss this matter further.

Sincerely,  
Pat Keller  
Deputy Director

CC: E. James & Barbara Frack  
Lawrence Schmidt  
File

BOND, LTR/TXTWAYNE

Printed on Recycled Paper

YOUNG & BATTISTA, P.A.  
ATTORNEYS AT LAW  
SUITE 707, SUSQUEHANNA BUILDING  
29 WEST SUSQUEHANNA AVENUE  
BALTIMORE, MARYLAND 21204

ANDREW M. BATTISTA

(410) 343-2416  
FAX (410) 343-2418

July 19, 1993

Arnold Jablon, Esquire  
Office of Planning and Zoning  
Suite 113, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204

Re: Case No. 93-382-SPH  
E. James Frack, Jr., et ux, Contract  
Purchasers and Bertha M. Morris,  
Legal Owner

Dear Mr. Jablon:

Enclosed is a copy of Commissioner Lawrence E. Schmidt's Findings of Fact and Conclusions of Law relative to the above-captioned hearing. No issue is being raised regarding the actual Order in this matter. We are addressing the issue of the recent purchase of two small tracts of land from Mrs. Morris to Mr. and Mrs. Harry A. Gemmill, Jr. only.

In the body of the Findings of Fact we note that Commissioner Schmidt indicated that he believed a prior sale of a portion of the Morris property did not constitute a prior subdivision. It is the position of the Maryland Line Area Association and other Protestants that this sale, which occurred in February of 1993, did constitute a subdivision under County law. As Commissioner Schmidt stated on page 5 of the Findings of Fact, "The narrow question before me is whether this non-density transfer should be permitted."

Again, we wish to emphasize there is no issue taken with the Order entered by Commissioner Schmidt on the issue of the non-density transfer. As that was the only issue before Commissioner Schmidt, an appeal of that matter would be improper. Inasmuch as it is highly likely, if not certain, that the owners of the Morris property will attempt to subdivide the remainder of the property in the near future, we wish to bring this issue to you

RUTH B. MASCAFI  
Preservation Consultant

401 Bosley Avenue  
Towson, MD 21204

July 22, 1993

(410) 887-3211  
Fax (410) 887-5862

RECEIVED  
JUL 22 1993  
ZONING COMMISSIONER

Dear Harry,

The note will clarify the advisory intent of the Bond Road Schoolhouse, coming from the County of the 19th Century.

We are to now County Landmarks Preservation Commission. The idea is to give the site, with a possible change in use as eligible for consideration for listing on the County Landmarks List. The Commission is a regularly scheduled public meeting around planning the site, the site is related to the significance in Baltimore County history. The site is currently on the Maryland State Historic Survey.

Unfortunately, our staff person was on vacation and could not attend the Bond Rd hearing. Should you have any questions, please feel free to call me.

Thank you for your good work for Baltimore County.

Pat Keller  
Chairman, Baltimore County Landmarks Preservation Commission  
17210 Whiteley Road • Monkton, Maryland 21111 • 301-343-1495

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME ADDRESS  
James Frack Box 24 Monkton Md. 21111  
Barbara S Frack Box 24 Monkton Md. 21111  
ARTHUR C BURLEIGH JR 13719 Manor Mill 21147  
MRS. BURLEIGH JR

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME ADDRESS  
Andrew Battista, Arty Ste 707, 29 W. Susquehanna Truss  
Ruth R. Brown 1655 Bond Rd. Parkton MD 21120  
CLARENCE H. FOARD 2407 BOND ROAD PARKTON MD 21120  
BARBARA L. FOARD 2407 BOND RD. PARKTON MD 21120  
Lee Burns Parkton Md 21120  
John J. Gemmill 1707 Bond Rd. Parkton 21120  
Joseph V. Gunt 1451 Bond Rd. Parkton 21120  
Margie R. Gunt 1455 Bond Rd. Parkton 21120  
Gloria McQuaid 1501 Harris Mill Rd. Parkton 21120  
Dr. Richard McQuaid 1501 HARRIS MILL RD PARKTON MD  
Betty R. Brown 2149 York Rd. MD 21120  
Gordon Christman 2141 DUNK FREELAND RD. 21120  
Tom Christman 13511 Middlebrook Rd. MD 21120  
Joseph Gemmill Jr 21320 Dunk Freehand Rd. 21120  
Margie R. Gemmill 21315 Dunk Freehand Rd. 21120  
Ruth Christman 1655 Bond Road Parkton MD  
Hanna A. King 1815 Bond Rd. Parkton MD  
Ronald L. King 1815 Bond Rd. Parkton MD  
Margaret L. King 2107 Bond Rd. 21120  
Louis L. King 1655 Bond Road 21120  
Diana Christman

74/221

221

subscribed a Justice of the Peace of the State of Maryland in and for the County of Baltimore without present or future license or authority as such a Justice of the Peace and without being sworn as such a Justice of the Peace.

Witness my hand and seal of office at Baltimore, Maryland, this 19th day of January, 1992.

Witness my hand and seal of office at Baltimore, Maryland, this 19th day of January, 1992.

Witness my hand and seal of office at Baltimore, Maryland, this 19th day of January, 1992.

Witness my hand and seal of office at Baltimore, Maryland, this 19th day of January, 1992.

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Witness my hand and seal of office at Baltimore, Maryland, this 19th day of January, 1992.

Witness my hand and seal of office at Baltimore, Maryland, this 19th day of January, 1992.

PETITIONER'S  
EXHIBIT 2

MARYLAND LINE AREA ASSOCIATION, INC.  
1501 Harris Mill Road  
Parkton, Maryland 21120  
(410) 343-1089

June 3, 1993

Mr. Arnold Jablon, Director  
Zoning Administration and Development Management  
County Office Building  
Towson, Md. 21204

Dear Mr. Jablon,

Re: Case #93-382-SPH

It is our understanding that the property surrounding 1715 Bond Rd., which is the subject of the above referenced special hearing for a non-density transfer is subject to the Minor Subdivision Process before the two adjacent proposed lots are approved for development.

It is also our understanding that the property will not be posted before the Review Process and approval.

We are hereby requesting that we be notified of any meeting concerning this property in the Minor Subdivision Process. We further request that we be permitted to provide input into the process prior to approval.

We appreciate your prompt attention to this matter.

Very truly yours,  
Richard W. McQuaid  
Dr. Richard W. McQuaid  
President

Protestants  
No 4

Liber No 959  
John Oron Turnbull the above named grantor and he acknowledged the foregoing deed to be his act. And at the same time the said John Oron Turnbull made oath in due form of law that he is not now nor has he ever been married.

As witness my hand and Notarial Seal  
(Notarial Seal)  
Margaret M. Clunet  
Notary Public  
Recorded Jan 4 1995 at 2 P M and Exd per C. Willing Brown Jr. Clerk

35401 : This deed made this 20th day of December 1932 by and between Board of Education Baltimore Co; the Board of Education of Baltimore County a body politic and Dead to

corporate in the State of Maryland party of the first part and N Earl Morris & Wf : N Earl Morris and Bertha M Morris his wife of Baltimore County U S S-509 : State of Maryland parties of the second part

Whereas the property hereinafter described was until June 1 1916 vested in the Board of County School Commissioners of Baltimore County and

Whereas by Chapter 505 of the Acts of the General Assembly of Maryland approved on April 18 1916 and effective on June 1 1916 (Annotated Code of Maryland 1924 Article 77) all of the property theretofore vested in the Board of County School Commissioners of Baltimore County was transferred to and vested in The Board of Education of Baltimore County and

Whereas the Board of Education of Baltimore County with the approval of the State Superintendent of Schools has heretofore sold the property hereinafter described to N Earl Morris and Bertha M Morris his wife for the sum of One Hundred Dollars (\$100.00) in pursuance of the powers vested in The Board of Education of Baltimore County by law

Now therefore this deed witnesseth that in consideration of the sum of One Hundred Dollars (\$100.00) this day paid the receipt whereof is hereby acknowledged the said party of the first part hereby grant and convey unto the said N Earl Morris and Bertha M Morris his wife as tenants by the entireties their heirs and assigns in fee simple all that lot of ground situate in the Seventh Election District of Baltimore County in the State of Maryland and described as follows that is to say

Beginning for the same at a stone marked E B on the public road leading from Gorseuch Mills to the Old York Road thence bounding on said Road and running north 73 1/2 degrees east 6 perches to another stone on said Road thence south 16 1/2 degrees east 6 perches to a stone thence south 73 1/2 degrees west 6 perches to a stone thence north 16 1/2 degrees west 6 perches to the place of beginning Containing 48 square perches or land more or less

Being the same which by deed dated March 7th 1875 and recorded among the Land Records of Baltimore County in Liber S H A No 74 folio 261 was conveyed by Eliza Bond and wife to the County School Commissioners of Baltimore County

Together with the improvements thereon and all the rights and ways waters privileges appurtenances and advantages thereunto belonging or in anywise appertaining

To have and to hold the said lot of ground and premises above described and mentioned and hereby intended to be conveyed together with the rights privileges appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said N Earl Morris and Bertha M Morris his wife as tenants by the entireties their heirs and assigns forever in fee simple

In testimony whereof The Board of Education of Baltimore County has caused this deed to be signed by its President and its corporate seal to be affixed thereto and attested by its secretary and the State Superintendent of Schools of the State of Maryland has signified his approval of the sale consummated by this deed by appending his signature

PETITIONER'S  
EXHIBIT 3

PETITIONER'S  
EXHIBIT No 5

LIBER 9721 PAGE 079

DEED

THIS DEED, made this 22nd day of February, Nineteen Hundred and Ninety-three, by and between HARRY A. GEMMILL, JR., and HELEN J. GEMMILL, his wife, and BERTHA M. MORRIS, all of Baltimore County, State of Maryland, Grantors, and HARRY A. GEMMILL, JR. and HELEN J. GEMMILL, his wife, of Baltimore County, State of Maryland, Grantee.

NOW, THEREFORE, this Deed witnesseth that for and in consideration of the sum of ZERO DOLLARS (\$0.00), and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said HARRY A. GEMMILL, JR., and HELEN J. GEMMILL, his wife, and BERTHA M. MORRIS do hereby grant and convey unto the said HARRY A. GEMMILL, JR., and HELEN J. GEMMILL, his wife, as tenants by the entireties, their assigns and unto the survivor of them, his or her heirs, personal representatives and assigns, forever in fee simple, all that lot or parcel of land situate, lying and being in the Seventh Election District of Baltimore County, Maryland, on the south side of Bond Road and which according to a survey by A. L. Snyder, Registered Property Line Surveyor No. 26 dated November 2, 1992, is described as follows:

BEGINNING for the same at a steel pin and cap set 1.1 feet south of the south edge of the road at the beginning of the first or South 11 degrees 40 minutes East 150 feet line of that lot or parcel of ground which was conveyed by N. Earl Morris and Bertha M. Morris, his wife, to Harry A. Gemmill, Jr., and Helen J. Gemmill, his wife, by deed dated September 30, 1948, and recorded among the Land Records of Baltimore County, Maryland, in Liber TBS 1711, folio 31, etc., said beginning point being also the beginning of the first or South 11 degrees 40 minutes East 150 feet line of that piece of parcel of land which was conveyed by N. Earl Morris and Bertha M. Morris, his wife, to Harry A. Gemmill, Jr., and Helen J. Gemmill, his wife, by deed dated June 24, 1954, and recorded among the said Land Records in Liber GLB 2502, folio 265, etc., said beginning point being also in the fifth or South 78 degrees 20 minutes West 1174 feet line of that lot or parcel of ground which was conveyed by Martha E. Morris, widow to N. Earl Morris and Bertha M. Morris, his wife, by deed dated August 13, 1938, and recorded among the said Land Records in Liber CWB, Jr. 1043, folio 500, etc., and distant South 78 degrees 41 minutes 25 seconds West 311.47 feet from the beginning thereof said beginning point being also the beginning of the first or

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State Department of Assessments & Taxation  
for Baltimore County  
SIGNATURE *AT* DATE 4-20-93

PETITIONER'S  
EXHIBIT No 6

LIBER 9721 PAGE 085

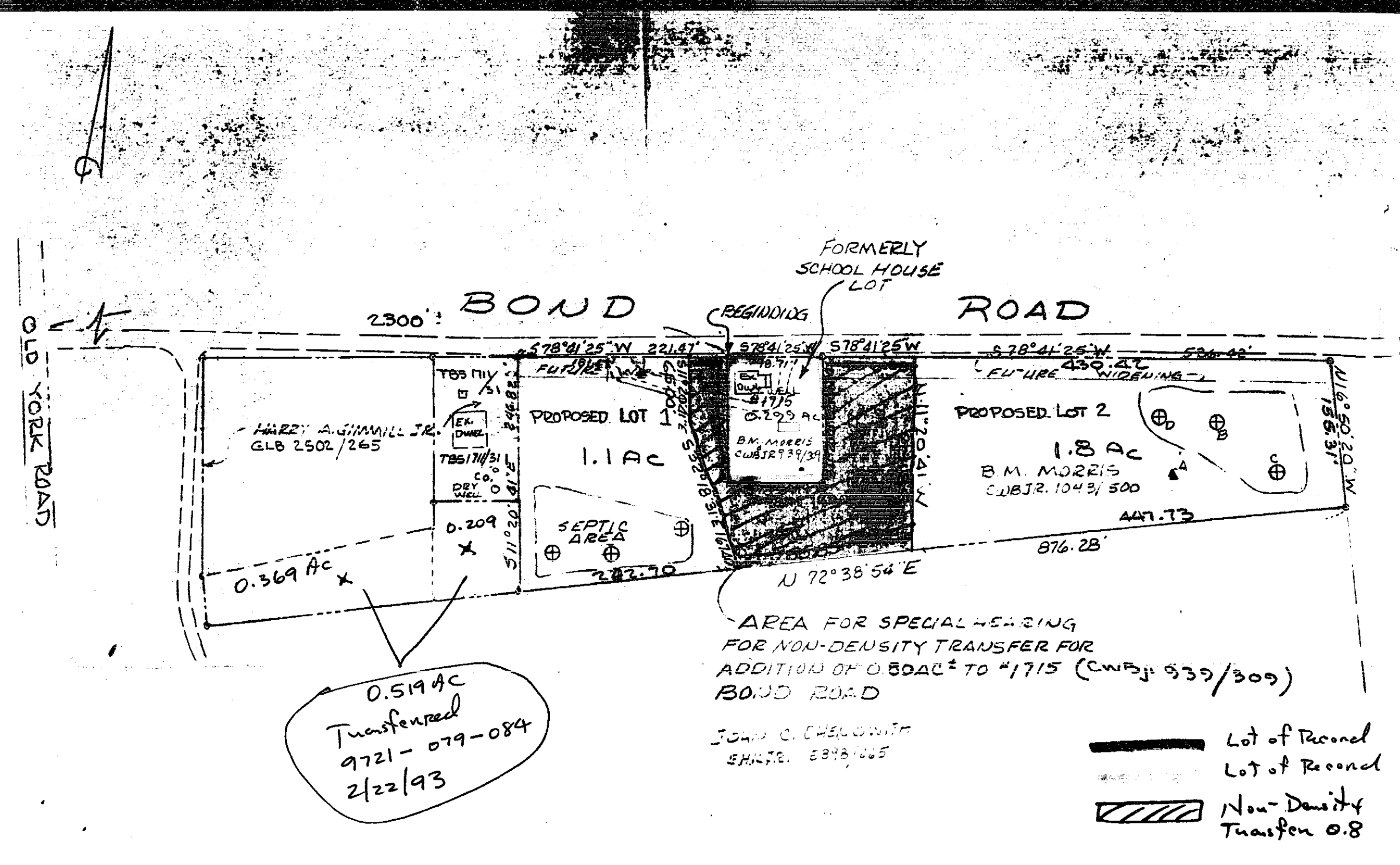
DEED

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BEGINNING for the same at a steel pin and cap set 1.2 feet south of the south edge of the paving of Bond Road at the beginning of the first or South 11 degrees 40 minutes East 180 feet line of that piece or parcel of ground which was conveyed by N. Earl Morris and Bertha M. Morris, his wife, to Harry A. Gemmill, Jr., and Helen J. Gemmill, his wife, by deed dated June 24, 1954, and recorded among the Land Records of Baltimore County, Maryland, in Liber GLB 2502, folio 265, etc., said beginning point being also in the fifth or South 78 degrees 20 minutes West 1174 feet line of that lot or parcel of ground which was conveyed by Martha E. Morris, widow to N. Earl Morris and Bertha M. Morris, his wife, by deed dated August 13, 1938, and recorded among the said Land Records in Liber CWB, Jr. 1043, folio 500, etc., and distant South 78 degrees 41 minutes 25 seconds West 311.47 feet from the beginning thereof said beginning point being also the beginning of the first or

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for Baltimore County  
SIGNATURE *AT* DATE 4-20-93



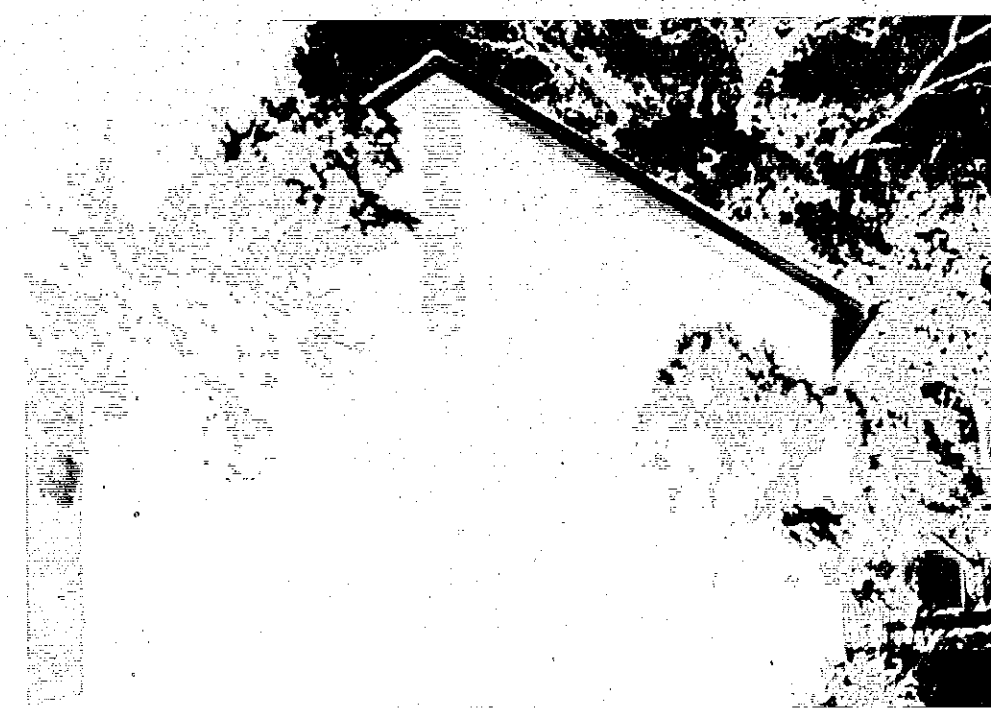
BOND SCHOOLHOUSE - FRONT VIEW



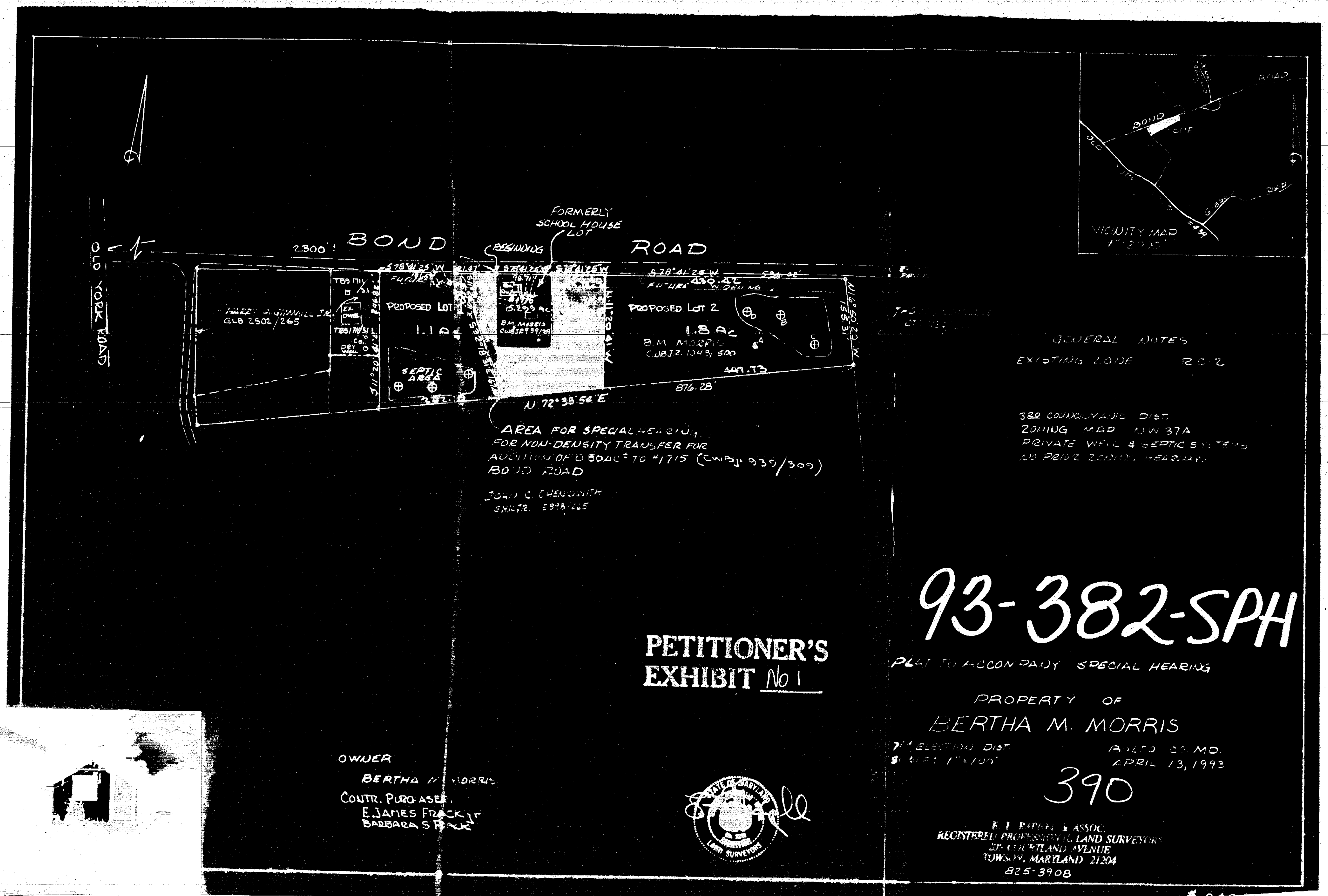
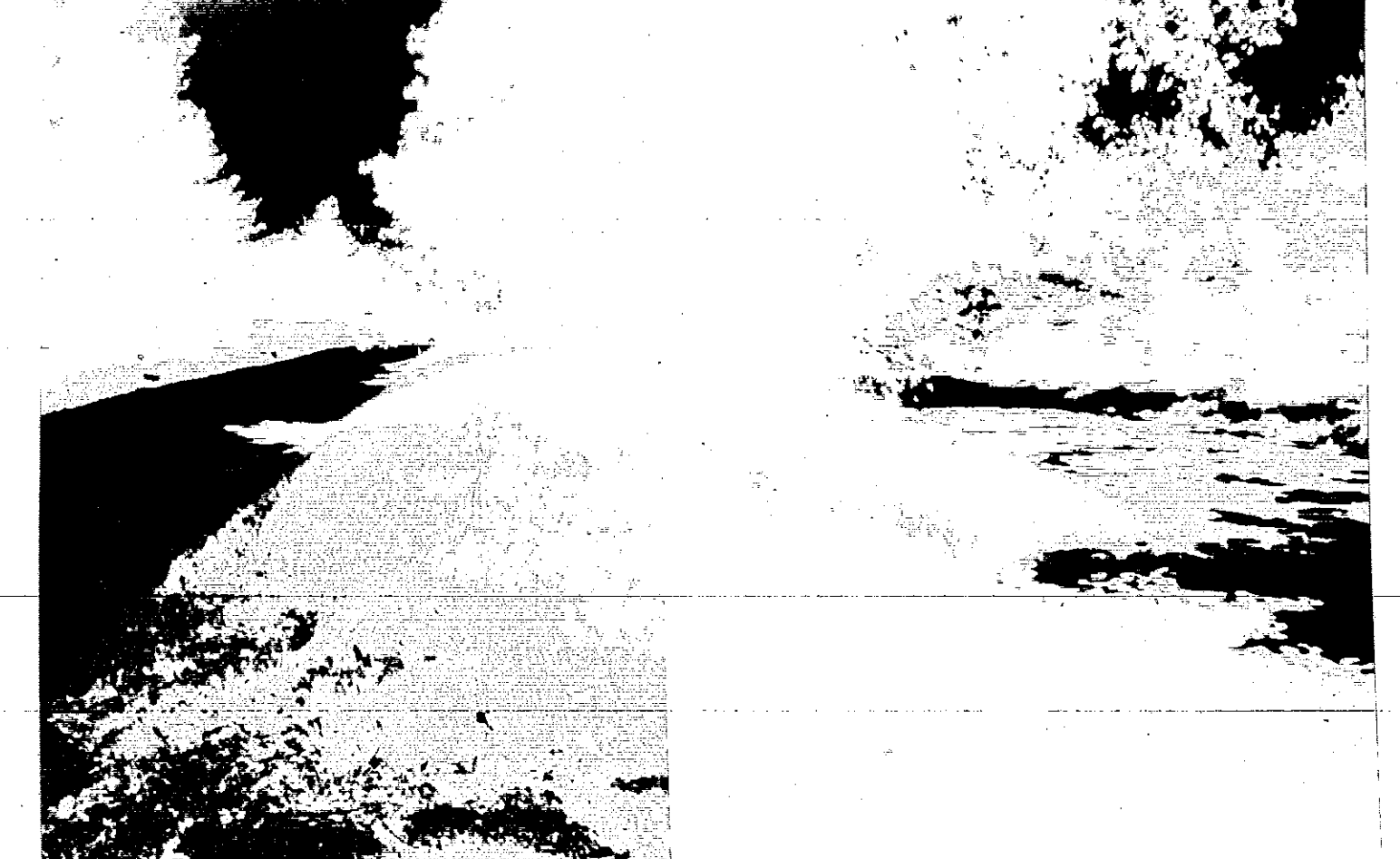
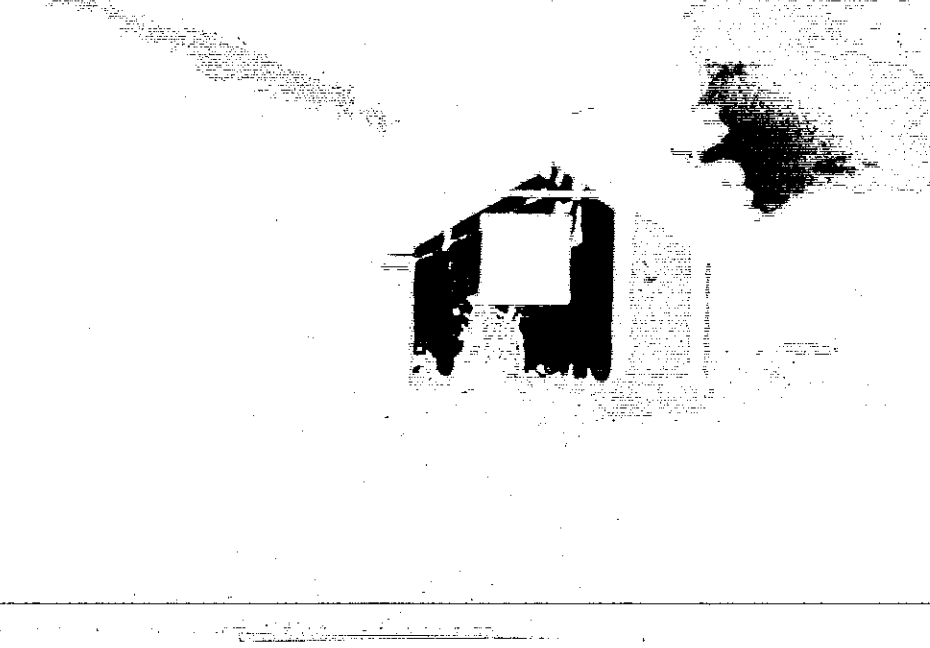
BOND SCHOOLHOUSE - SIDE VIEW

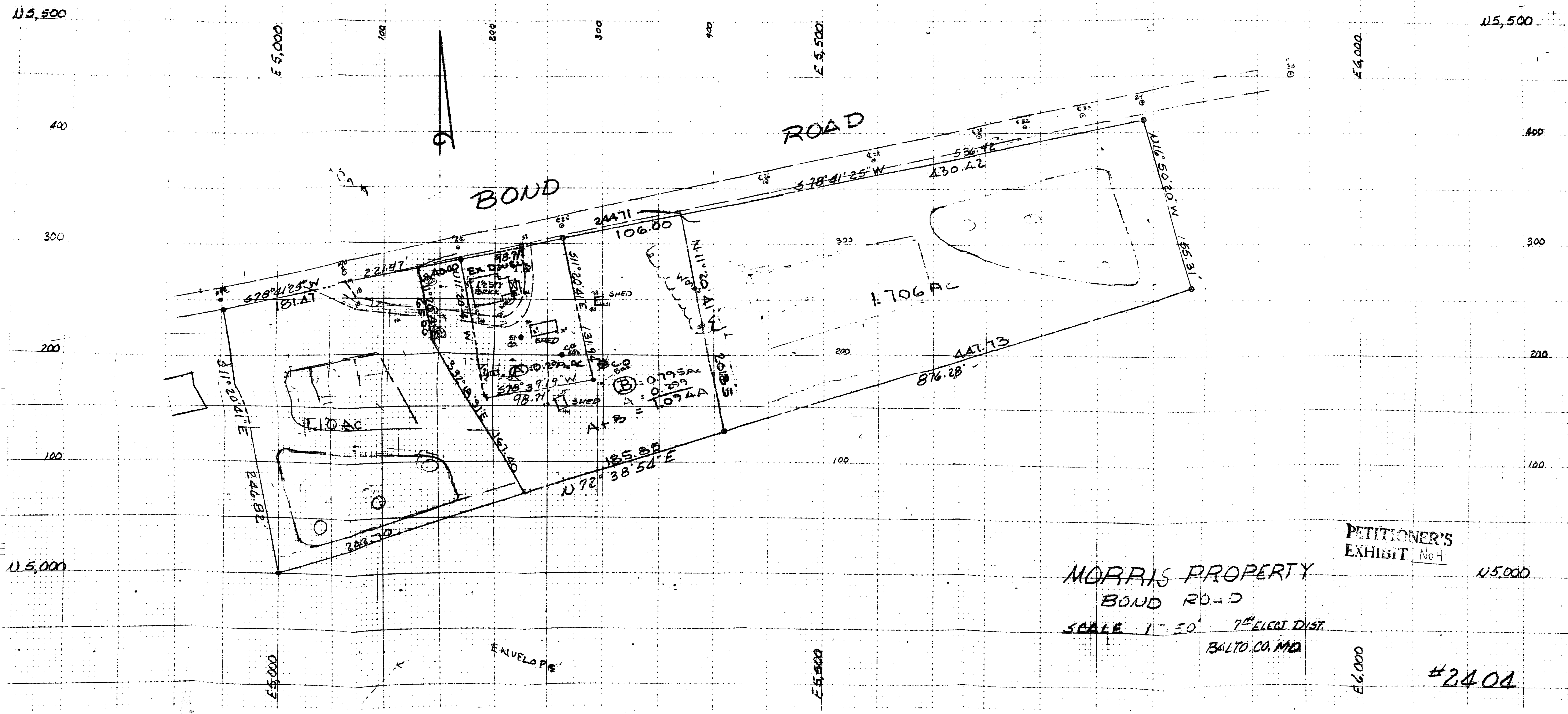


BOND SCHOOLHOUSE - SIDE VIEW  
BOND ROAD SIDE



BOND SCHOOLHOUSE - REAR





MORRIS PROPERTY  
BOND ROAD  
SCALE 1" = 50' 7<sup>th</sup> ELEC. DIST.  
BALTO. CO. MD  
PETITIONER'S  
EXHIBIT No 4  
#2404